

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Court Room
7500 Odawa Circle Harbor Springs, MI 49740
February 21, 2010

Closed Session: no

Call to Order: Meeting was called to order at: 9:11 a.m.

Opening Ceremony: Moment of Silence

Council Present: Legislative Leader Julie Shananaquet, Secretary Regina Gasco Bentley, Treasurer John Bott, Councilor Gerald Chingwa, Councilor Belinda Bardwell, , Councilor Melvin L. Kiogima, Councilor Aaron Otto, Councilor Marvin Mulholland

Absent: Councilor Rita Shananaquet

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Office Manager Michele LaCount

Executive Officials and Staff Present: Office of Enterprise Management Chuck Schofield, Natural Resource Director Doug Craven

Guests: Christina Rohn, William McMillan, John Liebgott, Bill Denemy Sr, Marcia Sutton, Tootsie Keshick, Andrew Stich, Eleanor Barber, Alice Hughes, Bea Law, John Kawegoma, Ken Gablow Sr, Nancy Kiogima, Fred Kiogima

Motion made by Secretary Gasco Bentley and supported by Councilor Chingwa to adopt the agenda for February 21, 2010 as amended.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor R. Shananaquet)

Motion carried.

9:27 a.m. Councilor R. Shananaquet arrived.

Motion made by Treasurer Bott and supported by Councilor Kiogima to approve the minutes of February 07, 2010 as corrected.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Chingwa and supported by Councilor Bardwell to approve the minutes of February 20, 2010 as corrected.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor R. Shananaquet and supported by Councilor Otto to ratify into the record the Phone Poll dated February 10, 2010 to allow Odawa

Casino Resort to waive sovereign immunity up to the amount of the contract, not to exceed \$10,000 with Elavon Inc., for the limited purpose of contracting from high speed credit card processing and further agrees to the waiver of Tribal Court jurisdiction, to meet an immediate deadline. The Phone Poll passed 7 – yes, 1 – no (Councilor Chingwa), 1 – abstained (Treasurer Bott), 0 – Absent.

Vote: 8 - Yes, 0 - No, 1 – Abstained (Treasurer Bott), 0 - Absent

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Chingwa to accept Legislative Leader Julie Shananaquet's verbal and written report for February 21, 2010 with confidential items contained therein.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Mulholland and supported by Councilor Otto to accept Treasurer Bott's verbal Treasurer's report for February 21, 2010.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Chingwa to amend the Gaming Board of Directors FY 2010 Budget to include an additional amount of \$15,000 for the National Indian Gaming Association Annual Membership dues.

Vote: 8 - Yes, 0 - No, 1 – Abstained (Treasurer Bott), 0 - Absent

Motion carried.

Elder Comments: Bill Denemy spoke regarding the importance of the Tribe being a member of National Indian Gaming Association.

Motion made by Councilor Mulholland and supported by Treasurer Bott to adopt Tribal Resolution: Supplemental Funding for Elders Program for Establishing an Elder's Dental Program Fund in the amount of \$15,000 to come from prior period funds.

Roll call vote: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-yes, Councilor Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader Julie Shananaquet-yes,

Motion carried.

Motion made by Councilor R. Shananaquet and supported by Councilor Otto to accept Councilor Mulholland verbal and written Investment report for February for February 21, 2010.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

10:27 a.m. Recess called.

10:37 a.m. Meeting reconvened.

10:40 a.m. Motion made by Councilor R. Shananaquet and supported by Councilor Chingwa to go into closed session for land.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

11:17 a.m. Motion made by Councilor Otto and supported by Treasurer Bott to return to open session.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

11:45 a.m. Public Comment opened: Michele LaCount spoke in support of Bells Fishery.

11:47 a.m. Public Comment closed.

12:12 p.m. Lunch recess called.

1:39 p.m. Meeting reconvened,

Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to accept Legislative Services Attorney Budnick's verbal and written report for February 21, 2010.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor R. Shananaquet and supported by Councilor Otto to go into closed session for confidential business matters-legal.

Vote: 4 - Yes, 4 - No (Councilor Kiogima, Councilor Chingwa, Legislative Leader Julie Shananaquet, Secretary Gasco Bentley), 1 - Abstained (Treasurer Bott), 0 - Absent

Motion failed.

Motion made by Councilor R. Shananaquet to remove Sheran Patton, Carol McFall and Judy Pierzynowski from the Gaming Board of Directors in response to their attempt to illegally use fraud to justify giving the former Human Resource Director approximately \$50,000 severance package despite the fact she quit and they do not have the statutory authority to do so.

Motion dies due to lack of support.

Motion made by Secretary Gasco Bentley and supported by Councilor Otto to accept Tribal Chairman Harrington verbal and written report for February 21, 2010 with confidential items contained therein.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Treasurer Bott To approve Enrollment list A - Eligible for Citizenship dated January 21, 2010 for a total of 10.

Vote: 8 - Yes, 1 - No (Councilor Chingwa), 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to place Waganakising Odawak Statute Hotel Room Tax Amendment on the Legislative Calendar.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Otto and supported by Councilor Chingwa to adopt Tribal Resolution: Amending Waganakising Odawak Inc., Corporate Charter.

2:45 p.m. Recess called – above motion on hold.

2:55 p.m. Meeting reconvened – above motion continues.

Above motion on hold in consideration of Public Comment.

3:05 p.m. Public Comment opened: Eleanor Barber spoke against Petoskey News Review in attendance at the Election Board meetings. John Kawegoma spoke regarding having a Tribal Newspaper that allows freedom of the press. Bea Law spoke in support of Waganakising Odawak Development. Bea Law spoke regarding Eleanor Barber's comment regarding Christina Rohn/Petoskey News Review Attendance.

3:12 p.m. Public Comment ended.

Above motion continues.

Roll call vote: Councilor Bardwell-yes, Councilor Chingwa-abstained, Councilor Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-no, Councilor Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader Julie Shananaquet-no

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Chingwa to override Executive Vetoed Tribal Resolution #122009-04 Repeals Tribal Resolution #092709-01; Establishment and Authority of the "Legislative/Executive Team".

Vote: 6 - Yes, 2 – No (Councilor R. Shananaquet, Councilor Otto), 1 – Abstained (Treasurer Bott), 0 - Absent

Motion Failed as it did not meet the requirement of $\frac{3}{4}$ votes (7 of 9) of the Tribal Council to change the Corporate Charter.

3:35 p.m. Recess called. Councilor Bardwell and Councilor Mulholland departed the meeting.

3:48 p.m. Meeting reconvened.

Motion made by Treasurer Bott and supported by Councilor R. Shananaquet to pass Waganakising Odawak Statute Contempt of Court.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bardwell, Councilor Mulholland)

Motion carried.

4:42 p.m. Motion made by Councilor R. Shananaquet and supported by Councilor Kiogima to adjourn.

Vote: 6 - Yes, 1 – No (Councilor Otto), 0 - Abstained, 2- Absent (Councilor Bardwell, Councilor Mulholland)

Motion carried.

These Minutes have been read and approved as corrected:

Regina Gasco Bentley, Tribal Council Secretary

Date